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Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/851,877	05/06/97	SHELL	MS1-161US

022801
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SPOKANE WA 99201

LM02/0911

EXAMINER

JUNG, D

ART UNIT

PAPER NUMBER

2771

13

DATE MAILED: 09/11/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

TP

Office Action Summary

Application No.

08/851,877

Applicant(s)

Shell et al.

Examiner

David Jung

Group Art Unit

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☒ Responsive to communication(s) filed on Jul 19, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Continued Prosecution Application

1. The request filed on 7/19/2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/851,877 is acceptable and a CPA has been established. An action on the CPA follows.

Response to Amendment

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blonder et al. (US Patent 5,760,771, hereinafter also referred as Blonder) and Knowlton et al. (US Patent 5,8975,692, hereinafter also referred as Knowlton) and Monteiro et al. (US Patent 5,983,005,

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hereinafter also referred as Monteiro) and Stone et al. (US Patent 6,101,510, hereinafer also referred as Stone).

5. Claims 1, 5, 11 are the independent claims; other claims are the dependent claims.

6. In regard to claim 1, Blonder et al. teaches "A hypermedia browser ... computer-readable medium for execution on an information processing device wherein the ... browser has a content viewing area ... and is configured to display a temporary graphic element ... during times when the browser is loading content..." as in claim 1 except for the "limited display area." See Abstract. Note the browser. Note that this browser using an information processing device. See especially column 3, lines 26-42. Note the padding. Note how the padding is "configured to display a temporary graphic element ... during times when the browser is loading content." See also column 7, lines 45-49.

The cited passages of Blonder are not explicit about "limited display area."

Knowlton et al. teaches the "limited display area" and "partially obstruct content" for the motivation of displaying more than one item. See Abstract. See column 26, lines 20-64, especially lines 60-64. Notice how Engine 138 displays temporary representation of Graphical icon 144. Note particularly this temporary graphical element (representation). Notice how the graphical icon covers the ^eviewing area¹. Notice also the use of Windows. Such windowing

¹That this is "an indicator in the content viewing area" is more particularly stated at column 2, lines 2-30. The passage particularly discusses "graphically based indexing of files" using visual links. As noted in a yet later part of column 2 (lines 60-65), each visual link

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features of Windows teaches limited display area. See also column 42, lines 30-34. Knowlton et al. teaches browsers and the loading of material through the Web. See column 1, line 35 to column 2, line 18 which discusses the general background of the Web displaying (such as by using the browser).

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder et al. with such “limited display area” of Knowlton et al. for the motivation noted in the previous paragraphs.

The cited passages of Knowlton and Blonder are not explicit about “content viewing area for viewing content.”

Stone teaches “content viewing area for viewing content” (column 8, lines 40-48, i.e. hypertext viewer 46) for the motivation of displaying documents (column 8, lines 40-41).

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder and Knowlton with such “content viewing area for viewing content” of Stone. for the motivation noted in the previous paragraphs.

The cited passages of Knowlton and Blonder and Stone are not explicit about “the temporary graphic element is positioned over the content viewing area to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content.”

preferably may include the graphical icon providing a displayable image representing the corresponding location and a visual link data set.

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Monteiro teaches “the temporary graphic element is positioned over the content viewing are to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content” (Figure 19, menus; column, 18, lines 29-36, i.e. display or hide bars; column 17, lines 56-68, i.e., the information ... is dynamically transmitted. ... if a new channel begins operation, the client application can immediately display it as it being available ...) for the motivation of permitting the user to select with more information (column 17, lines 46-47).

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder and Knowlton and Stone with such “the temporary ^agraphic element is positioned over the content viewing are to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content” of Monteiro for the motivation noted in the previous paragraphs.

In regard to claims 2, 5, such animation is suggested by Blonder et al. See column 2, lines 62-65 of Blonder et al.

In regard to claim 3, such use of corner is a well known feature of Windows windowing and graphical icons, such as mentioned in Knowlton et al. See column 26, lines 60-64.

In regard to claims 4, 5, such use of windowing is taught by Knowlton et al. See icon 144 of Figure 2A..

In regard to claims 6-10, claims 6-10 are information processing device analogs to claims 1-5. For the reasons stated in the rejections of claims 1-5, claims 6-10 are not patentable.

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In regard to claims 11-15, claims 11-15 are method analogs to claims 1-5. For the reasons stated in the rejections of claims 1-5, claims 11-15 are not patentable.

In regard to claim 16, such computer readable storage medium are well known in the art of computers for the purpose of keeping data ready for reading and for execution.

In regard to claims 17-24, these claims are of similar scope to claims 1-16. For the reasons stated in the rejections of claims 1-16, claims 17-24 are not patentable.

In regard to claims 25-30, such "load status" handling is taught by Stone (column 7, lines 6-14, i.e. "busy" signal to indicate loading).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They were discussed in the previous Office Actions.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9731 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Thomas Black whose telephone number is (703) 305-9707.

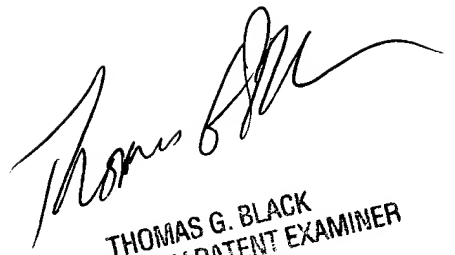
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DJ

September 6, 2000



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SUPERVISORY PATENT EXAMINER
GROUP 2700